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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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Rajeev Koodli

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FOLEY & LARDNER LLP
150 EAST GILMAN STREET
P.O. BOX 1497
MADISON, WI 53701-1497

EXAMINER

LEVITAN, DMITRY

ART UNIT

PAPER NUMBER

2461

MAIL DATE

DELIVERY MODE

08/25/2010

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No. 09/616,221	Applicant(s) KOODLI ET AL.	
	Examiner Dmitry H. Levitan	Art Unit 2461	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 05 August 2010.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-3 and 7-27 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 3 and 14 is/are allowed.
- 6) ☒ Claim(s) 1,2,7-13 and 15-27 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 05 August 2010 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

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Preliminary amendment, filed 8/05/10, has been entered. Claims 1-3 and 7-27 remain pending.

Drawings

1. The drawings were received on 8/05/10. The drawings are approved.

Claim Rejections - 35 USC § 112

2. In light of Applicant's amendment, the rejection of claims 1- 9 under 35 U.S.C. 112, second paragraph, has been withdrawn.
3. Claims 21-26 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Claim 21 limitations, directed to "the a second network element" are unclear as written.

Other claims are rejected as the claims depending on the claim rejected above.

Claim Rejections - 35 USC § 101

4. Claims 7-9, 20 and 27 rejected under 35 U.S.C. 101 because the claimed invention is directed to non-statutory subject matter.

Claims 7, 9, 20 and 27 limitations, directed to "tangible computer-readable medium" are rejected, as claims directed to a non-statutory subject matter.

See Interim Guidelines for examination of patent applications for patent subject matter eligibility, pages 50-54.

Claim 8 is rejected as a claim depending on the rejected claim 7.

Claim Objections

5. Claims 13 and 22 are objected to under 37 CFR 1.75(c), as being of improper dependent form for failing to further limit the subject matter of a previous claim. Applicant is required to cancel the claim(s), or amend the claim(s) to place the claim(s) in proper dependent form, or rewrite the claim(s) in independent form.

Claim 13 limitations, directed to “a header compression capability”, are broader than the parent claim 3 limitations, directed to “a header compression capability option”.

Claim 22 limitations, directed to “indicates a header compression capability”, are broader than the parent 21 claim limitations, directed to “includes a header compression capability”.

Claim Rejections - 35 USC § 102

1. Claims 1, 2, 7, 8, 10-12 and 15-20 are rejected under 35 U.S.C. 102(e) as being anticipated by Le (US 6,300,887).

2. Regarding claims 1, 7 and 10, Le teaches a method (transferring compression and decompression information during a handoff of a mobile station, as shown on Fig. 2 and described on 17:8-67), comprising establishing a connection between a first network element and a mobile node (establishing a connection between a mobile terminal, 130 or 150, and a first network element, described as an Access Network Infrastructure (ANI) 120 or new ANI, as described on 17:25-55), establishing a connection between the first network element and a second network element in response to a handoff request from the mobile node (inherently establishing a connection

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between first/new and second/old network elements/ANI, because the connection between new and old elements is essential for transfer header compression information, as a response/result of the mobile node handoff operation, shown on Fig. 2 and 5 and described on 5:35-44), requesting by the first network element, header compression state information from the second network element and receiving, at the first network element, the requested header compression state information from the second network element (first/new network entity inherently requests compression state information from the second/old network entity, because this information, is transferred from the second/old network entity to the first/new network entity during handoff operation, as described on 4:66-5:44, wherein the transferred information comprises compression state information, shown as FH state, FO state and SO state on Fig. 5 and described on 3:14-54).

3. Regarding claims 2 and 8, Le teaches sending changing fields of the compressed packet headers from the mobile terminal, as described on 2:30-65, wherein the first /new element operates with FO compression state, as shown on Fig. 5 and described on 3:25-44.

4. Regarding claim 12, Le teaches using the indicated compression state information for communication between the first/new network entity and the mobile terminal, as described on 19:45-20:4.

5. Regarding claims 15 and 20, Le teaches a method (transferring compression and decompression information during a handoff of a mobile station, as shown on Fig. 2 and described on 17:8-67) comprising:

initiating, by a mobile node, a handoff procedure to a first network element from a second network element and establishing a connection between the mobile node and the first network element (establishing a connection between a mobile terminal, 130 or 150, and a first network

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element, described as an Access Network Infrastructure (ANI) 120 or new ANI, as a result of the mobile terminal handoff from an old ANI, as described on 17:25-55), and sending at least a portion of header compression state information from the mobile node to the first network element as part of the handoff procedure (sending changing fields of the compressed packet headers from the mobile terminal, as described on 2:30-65, wherein the first /new element operates with FO compression state, as shown on Fig. 5 and described on 3:25-44).

6. Regarding claims 11, 16 and 17, Le teaches sending a snapshot of compressed context information to the first/new network node, wherein the information indicates the latest acknowledged FH packet, as shown on Fig. 7 and described on 21:1-50.

7. Regarding claims 18 and 19, Le teaches sending packets with compressed headers from the mobile station to the first/new network node after the handoff completion, as described on 4:66-5:44.

Allowable Subject Matter

8. Claims 3 and 14 are allowed.

9. Claims 21 and 24-26 would be allowable if rewritten or amended to overcome the rejection(s) under 35 U.S.C. 112, 2nd paragraph, set forth in this Office action.

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Response to Arguments

10. Applicant's arguments with respect to claims 1-9 have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

11. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Dmitry H. Levitan whose telephone number is (571) 272-3093. The examiner can normally be reached on 8:30 to 4:30.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Huy Vu can be reached on (571) 272-3155. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Dmitry H. Levitan/
Primary Examiner, Art Unit 2461